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2 **REMARKS**
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6 **The Rejection of Claims 1-12 Under 35 U.S.C. 103 over**
7 **Bruce (US Pat. #6,205,719) In View Of Bruce (US Pat.**
8 **No. 5,862,637)**
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12 1. Present claims 1-12 were rejected under 35 U.S.C. 103 as
13 being unpatentable over Bruce US Pat. #6,205,719 (hereafter
14 '719) in view of Bruce US Pat. # 5,862,637 (hereafter '637).
15 Reconsideration and withdrawal of this rejection is
16 respectfully requested because claims 1-12 recite novel
17 structure resulting in new and unexpected advantages, and
18 thus distinguish physically and operationally over the '719
19 and '637 references. Neither the '719 nor the '637 reference
20 disclose, teach, claim or suggest a roof-screen system as
21 disclosed and claimed in the present application, for
22 supporting a roof screen on a roof, where a plurality of
23 frame elements of round galvanized steel tubing are
24 configured as separate frames and include a front element, a
25 bottom element, and a diagonal brace element. The present
26 invention also discloses and claims a plurality of base
27 supports operably secured to the frame elements, sleeve

1 connector means for connecting the plurality of frame
2 elements; and a plurality of support means for supporting a
3 plurality of face panels to the front element of the separate
4 frames. Accordingly, reconsideration and withdrawal of the
5 rejection of claims 1-12 is respectfully requested.

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8 2. It is noted that neither the '719 nor '637 references
9 disclose, claim or teach the use of tubular frame elements--
10 claimed in claim 1 as ..."frame element of round galvanized
11 steel tubing...". In the '719 reference which is cited, the
12 frame members are beam shaped and numbers 212 and 204 in the
13 drawing are the same part, only in a different orientation as
14 explained in the '719 reference (col. 3 lines 25-35). As
15 noted above, however, it is not the tubular frame members
16 which are claimed alone, nor does applicant argue that such
17 elements in themselves are distinct. What is critical and
18 new, and not disclosed or claimed in any of the references
19 either alone or in combination, is that a plurality of frame
20 elements of round galvanized steel tubing are configured as
21 separate frames and include a front element, a bottom
22 element, and a diagonal brace element. Also, a plurality of
23 base supports operably secured to the frame elements, sleeve
24 connector means for connecting the plurality of frame
25 elements; and a plurality of support means for supporting a
26 plurality of face panels to the front element of the separate

1 frames. Accordingly, reconsideration and withdrawal of the
2 rejection of claims 1-12 is respectfully requested.

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5 3. Further, the roof-screen system disclosed and claimed in
6 the '719 reference cannot use tubing for the framing members
7 because the beam shaped extrusion includes a center hole that
8 is the entire length of the extrusion so wherever the beam is
9 cut, the hole is still there to receive the anchor bolt for
10 the cap 202. If tubing were used, the cap would not be
11 anchored, therefore, the beam shaped extrusion is both a
12 critical and essential part of the '719 reference.
13 Accordingly, the '719 reference teaches away from using
14 tubular frame elements, and neither alone or in combination
15 with the '637 reference anticipate nor render obvious the
16 present invention as claimed. Accordingly, reconsideration
17 and withdrawal of the rejection of claims 1-12 is
18 respectfully requested.

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20 4. The system disclosed and claimed in the present
21 application is both unique and novel, The tubular frame
22 elements are used with end connectors 28 which slip over the
23 tubing and are attached with screws through the side of the
24 sleeve. The new and unexpected advantage of this is that
25 tubing is stronger in regards to lateral bending than a beam
26 shaped element. In order for a beam shaped extrusion to work
27 properly, it needs to be very thick and large to avoid

1 lateral bending when wind pressure is exerted on the roof
2 screen. This results in expensive and very heavy material.
3 The present application, by using tubular frame elements in
4 combination the end connectors with results in stronger
5 tubing, which is lighter in weight, and less expensive.
6 Moreover, the frame elements of round galvanized steel tubing
7 are configured as separate frames and include a front
8 element, a bottom element, and a diagonal brace element. This
9 system also uses a plurality of base supports operably
10 secured to the frame elements, sleeve connector means for
11 connecting the plurality of frame elements; and a plurality
12 of support means for supporting a plurality of face panels to
13 the front element of the separate frames. These features are
14 not disclosed, taught, claimed or suggested in any manner by
15 the cited references, either alone or in combination.
16 Accordingly, reconsideration and withdrawal of this rejection
17 is respectfully requested.

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19 5. It was erroneously stated in the Office Action that three
20 components of the "knuckle assembly" in the '719 reference
21 (cap 202, yoke 208 and clamp 210), are the same as the
22 components claimed in claims 3 and 8 of the present
23 application. Reconsideration and withdrawal of this rejection
24 is respectfully requested because base connector 26, cannot
25 reasonably be compared to the knuckle assembly 200 of the
26 '719 reference, as the base connector of the present

1 invention is not even used to attach the end of one tube to
2 the middle of another tube.

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4 6. It is also noted that end connector 28, of the present
5 application, cannot reasonably be compared to clamp 210 or
6 the '719 reference. End connector 28 is a one piece fitting
7 that screws onto the end of a tube to allow the tube to
8 attach to other fittings. In the '719 reference, clamp 210,
9 is simply a clamp. Its use and purpose is to mate with yoke
10 208, to form a compression around the beam extrusion.

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12 7. Regarding the assertion that field connector of the
13 present application is comparable to beam extrusion 212 and
14 bolt 214 of the '719 reference. It is respectfully submitted
15 that the field connector of the present invention, as
16 disclosed and claimed, is a one-piece sleeve that slips over
17 the tubing and bolts through the side when in position,
18 rather than the clamping like mechanism of beam extrusion 212
19 of the '719 reference. Reconsideration and withdrawal of this
20 rejection is accordingly, respectfully requested.

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22 8. As noted in the prior request for reconsideration, the
23 '719 reference connects one frame beam to another by a 3-part
24 assembly consisting of the cap 202, yoke 208, and claim 210.
25 This system clamps the parts together around the frame using
26 compression to secure it. It is also maintains a permanent

1 pivot point with pin 206 which never gets tightened. The
2 present invention, uses tubular frame elements and a two part
3 assembly consisting of end connector 28, and field connector
4 30, that slips over the tubing and attaches mechanically with
5 a series of screws through the sides of the part into the
6 tubing. The pivot point is permanently tightened with a bolt
7 and nut 45. The present invention eliminates an extra part
8 and provides both a stronger and less expensive system with
9 tightened pivot points, than either the '719 or 637
10 reference, either alone or in combination. Accordingly,
11 reconsideration and withdrawal of the rejection of claim 1-12
12 is respectfully requested.

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15 9. Regarding the rejection of the dependent claims, as they
16 depend from independent claim 1, and 6, which are clearly
17 patentable (all of the arguments given above are incorporated
18 herein by reference), it is respectfully submitted that they
19 are a fortiori patentable as well. Since neither the '719 nor
20 the '637 reference disclose, teach or suggest the use of a
21 plurality of T-shaped base supports. they are independently
22 patentable as well. Also, it is noted that base supports 24
23 of the present application and the "footers" of the '719
24 reference are very different in construction, operation,
25 utility and effect. The "footer" of the '719 reference is
26 round as has a threaded hole in the top of the tubular shaped


1 stanchion that receives a bolt that is inserted through the
2 top of the cap 202, that is part of the knuckle assembly 116.
3 This bolt through the top of the knuckle assembly leaves the
4 footer assembly vulnerable to leaks. The present invention,
5 by contrast, bolts through the side of the base support
6 stanchion so it doesn't have standing water and consequently
7 will not leak. Moreover, the '719 reference discloses and
8 claims the connection between the footer and the frame
9 "pinned". This means that it can pivot and move around the
10 hinge pin 206 under wind load. This pinned condition creates
11 a structural vulnerability with the attachment of the footers
12 to the roof structure. Because they are allowed to pivot, it
13 creates a weak axis condition at the connection of the base
14 plate 308, and the roof structure. This is a significant
15 limitation of the '719 reference, as the weak condition of
16 the axis renders the system useless under even relatively low
17 wind loads. Contrast this with the present invention, where
18 the connection between the base connector fin 44, and the
19 base cap fin 39, is a solid fixed connection, and has no
20 movement under wind load. This results in the front base
21 support, the rear base support, and the horizontal tube to be
22 locked together, eliminating the weak rocking potential at
23 the connection of the base plate 25, to the roof structure.
24 The new and unexpected result is a stronger system that can
25 withstand higher wind loads, is lighter, and less expensive

1 to manufacture and install. Accordingly, reconsideration and
2 withdrawal of this rejection is respectfully requested.

3
4 **Conclusion**

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6 10. For all of the reasons given above, this application
7 respectfully submitted to contain claims which define a
8 novel, patentable, and truly valuable invention. Hence
9 allowance of this application is respectfully submitted to be
10 proper and is respectfully solicited.


11 Very respectfully,

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